DT07 Rec'd PCT/PTO 24 SEP 2004

Substitute for Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

| ATTORNEY'S DOCKET NUMBER | |
|---|---|
| 022702-105 | |
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) | |
| 10/509071 | |
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE |
| PCT/FR03/00889 | March 20, 2003 |
| PRIORITY DATE CLAIMED | |
| March 26, 2002 | |

TITLE OF INVENTION

PROCESS FOR PREPARING FUNCTIONALIZED POLYORGANOSILOXANE RESINS BY REDISTRIBUTION IN THE PRESENCE OF AT LEAST ONE DERIVATIVE OF TRIFLIC ACID

APPLICANT(S) FOR DO/EO/US

Fernande BOISSON and Gérard MIGNANI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission to items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
   a. ☒ is attached hereto (required only if not communicated by the International Bureau).
   b. ☒ has been communicated by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
   a. ☒ is attached hereto.
   b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 21 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Form PTO-1449, copies of PCT/IB/308, PCT/IB/332 and IPER with Annexes (in French) enclosed. Copy of priority document filed during international phase. Copy of ISR in French and English attached to copy of international application. Executed declaration to follow.
21. ☒ Applicant(s) requests that the published application include the following assignment information:
    RHODIA CHIMIE
    F-92100 BOULOGNE-BILLANCOURT
    FRANCE

| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/509071 | INTERNATIONAL APPLICATION NO. PCT/FR03/00889 | ATTORNEY'S DOCKET NUMBER 022702-105 |
|---|---|---|

22. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

| | | CALCULATIONS PTO USE ONLY |
|---|---|---|
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | $1,080.00 (1611) | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | $920.00 (1613) | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International search fee (37 CFR 1.445(a)(2)) paid to USPTO | $770.00 (1610) | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | $730.00 (1609) | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | $100.00 (1612) | |

| | | |
|---|---|---|
| **ENTER APPROPRIATE BASIC FEE AMOUNT =** | $ 920.00 | |
| Surcharge of **$130.00 (1617)** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | |

| CLAIMS | NUMBER FILED | | NUMBER EXTRA | RATE | $ | |
|---|---|---|---|---|---|---|
| Total Claims | 23 | -20 = | 3 | x $18.00 (1615) | $ 54.00 | |
| Independent Claims | 1 | - 3 = | 0 | x $86.00 (1614) | $ 0.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + $290.00 (1616) | | |
| | | | | TOTAL OF ABOVE CALCULATIONS = | $ 974.00 | |
| ☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | + | $ 0.00 | |
| | | | | SUBTOTAL = | $ 974.00 | |
| Processing fee of **$130.00 (1618)** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | | $ 0.00 | |
| | | | | TOTAL NATIONAL FEE = | $ 974.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00 (8021)** per property + | | | | | | |
| | | | | **TOTAL FEES ENCLOSED =** | $ 974.00 | |
| | | | | | **Amount to be refunded :** | |
| | | | | | **charged :** | |

a. ☒ A check in the amount of $ 974.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

d. ☐ Charge _____ to credit card. Form PTO-2038 is attached.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Mary Katherine Baumeister
SIGNATURE

Mary Katherine Baumeister
NAME

26,254 — REGISTRATION NO.

September 24, 2004 — DATE